

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DENISE BARNETT,

Case Nos. 12 Misc 365/366 (VB)

Movant,

v.

**REPLY DECLARATION OF
MOVANT**

UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL,

Respondent.

_____X

I, DENISE BARNETT, the Movant in the above referenced proceeding, hereby declare under 28 U.S.C Section 1746 that the following is true and correct.

1. I have had an opportunity to review the very limited information contained in the papers served on us by the United States Attorney's Office. I continue to believe that the financial records sought by the Department of Housing and Urban Development, Office of Inspector General (HUD) are not relevant to the legitimate law enforcement inquiry.

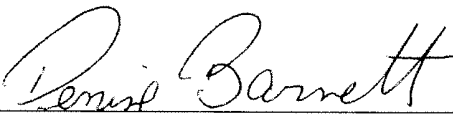
2. When the two Special Agents came to my house to serve two subpoenas on me seeking my personal bank records, they displayed a piece of paper and indicated that they wanted to ask me some questions. When I asked what it was about, they refused to answer my question. They told me that what they were investigating was serious and was definitely going to be presented to a grand jury. They told me that they would not tell me anything unless I agreed to answer their questions. In response, I told them it sounds like I should have a lawyer present if you are going to be asking me questions. They did not indicate any desire to allow me to have an attorney present when they were questioning me. At that point they left me with the

subpoenas without providing me with any information whatsoever about what they were investigating and without telling me what questions that they wanted answered.

3. I felt that the two agents were trying to intimidate me into speaking with them about a criminal investigation that was going to go to a grand jury. My bank records are obviously in the possession of the two banks who were served with these subpoenas and nothing I can do or would do will change that. Special Agent Huvane's declaration indicates that he is concerned with the possible destruction of evidence if he were to tell me anything about this investigation. That explanation has nothing to do with the bank records themselves, and he could very clearly have told me why he has a good faith need to see these bank records without putting me in a position to possibly destroy these records. Based upon that fact, I have reached the reasonable conclusion that the HUD inspectors are on a fishing expedition and simply do not want me or the Court to know that. I respectfully request that the Court quash the subpoenas which HUD has served on HSBC and Bank of America.

4. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 10, 2012


Denise Barnett